



RE: FOIA Request #CFPB-2014-022-F

October 21, 2013

Mr. Jason Smathers
MuckRock News
DEPT MR 8331 PO Box 55819
Boston, Massachusetts 02205-5819

Dear Mr. Smathers:

This letter is to inform you that on October 21, 2013, the Consumer Financial Protection Bureau (CFPB) received your Freedom of Information Act (FOIA) request dated October 18, 2013. Your request sought a copy of all congressional (to include staff members) communication to/from CFPB referencing the possibility of and the eventual government shutdown from October 1-16, 2013. This is to include records between September 1, 2013, and October 31, 2013, or through the date this request is processed. These documents should include all communication from or on behalf of congressional committees, subcommittees, etc.

As it relates to your fee waiver request, your request will be held in abeyance pending the quantification of responsive records. The CFPB Interim FOIA regulations, set forth six factors to examine in determining whether the applicable legal standard for a fee waiver has been met: (1) Whether the subject of the requested records concerns "the operations or activities of the government;" (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities; (3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons; (4) Whether the contribution to public understanding of government operations or activities will be "significant;" (5) Whether the requestor has a commercial interest that would be furthered by the requested disclosure; and (6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor. If any responsive records are located, we will consider these factors in our evaluation of your request for a fee waiver.

You have been determined to be a non-commercial requestor and provisions of the FOIA allow the CFPB to recover part of the cost of complying with your request. You will be charged for the search (after the first two hours) and duplication (after the first 100 pages) costs in accordance with the CFPB Interim FOIA regulations as applicable to non-commercial requestors. The CFPB's FOIA Fee Schedule may be viewed at www.consumerfinance.gov/foia/foia-fee-schedule. You did not indicate in your request a specific amount you were willing to pay. Therefore, in accordance with our regulations, your submission of a FOIA request is construed as an agreement to pay up to \$25.00. You will be

contacted in the event there are additional fees related to the processing of your request beyond this amount.

For inquiries concerning your request, please contact Maria Gonzalez, at 202-435-9654 and reference the FOIA request number above. If you are unable to reach Maria Gonzalez, please feel free to contact CFPB's FOIA Service Center at FOIA@cfpb.gov or by phone at 1-855-444-FOIA (3642).

Sincerely,

A handwritten signature in black ink, appearing to read "MM".

Martin Michalosky
FOIA Manager
Operations Division